Calendar No. 107

102D CONGRESS *1st Session*	SENATE	REPORT 102-74

CERTIFICATION OF DOCUMENTATION FOR THE VESSEL "BILLFISH"

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 1004

JUNE 6 (legislative day, JUNE 3), 1991.—Ordered to be printed

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Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 1004]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1004), to authorize a certificate of documentation for the vessel *Billfish*, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 1004, as reported, grants coastwise trading and fisheries privileges to the vessel *Billfish*.

BACKGROUND AND NEEDS

Subject to certain limitations, the law known as the Jones Act (section 27 of the Merchant Marine Act, 1920) and sections 12106, 12107, and 12108 of title 46, U.S. Code, provide that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the fisheries of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document granting coastwise trading or fisheries privileges for that vessel unless the requirements of the Jones Act and title 46 are statutorily waived.

The vessel *Billfish,* U.S. official number 920896, is a 29.6-foot sport fishing vessel owned by Jay R. Johnson of Charleston, SC. The owner intends to operate the vessel for small fishing charters.

The owner is seeking a statutory waiver of the Jones Act and the requirements of title 46 because he cannot present proof that the vessel has been under continuous ownership by U.S. citizens. The law requires that this criterion be met before a certificate of documentation can be issued for the vessel. When he purchased the *Billfish,* Mr. Johnson was unaware of the requirements of the Jones Act and title 46 for coastwise trade and fisheries.

Legislative History

S. 1004 was introduced on May 8, 1991, by Senator Hollings. In open executive session on May 14, 1991, the Committee considered S. 1004, and ordered the legislation reported favorably without objection and without amendment.

Estimated Costs

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, May 22, 1991.

Hon. Ernest F. Hollings,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed S. 1004, a bill to authorize a certificate of documentation for the vessel *Billfish.* The bill was ordered reported by the Senate Committee on Commerce, Science, and Transportation on May 14, 1991. Enactment of S. 1004 would not result in any cost to the federal government or to state or local governments. The bill would not affect direct spending or receipts, so there would be no pay-as-you-go scoring pursuant to Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

Robert D. Reischauer, *Director.*

Regulatory Impact Statement

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 1004 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no new reporting requirements. The legislation will have no fur-

ther effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required for such individuals and businesses.

Section-by-Section Analysis

The reported bill consists of one section. It provides that, notwithstanding sections 12106, 12107, and 12108 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of the enactment of this legislation, the vessel *Billfish,* U.S. official number 920896, is eligible to engage in the coastwise trade and commercial fisheries, and the Secretary of Transportation may issue a certificate of documentation for the vessel.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would made no change to existing law.

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